

**BAY COUNTY ELECTION COMMISSION
CLARITY HEARING-PINCONNING TWP. TREASURER RECALL
AUGUST 13, 2010**

THE BAY COUNTY ELECTION COMMISSION MET ON FRIDAY, AUGUST 13, 2010 FOR CONSIDERATION OF THE LANGUAGE PRESENTED FOR CLARITY AS SUBMITTED BY PINCONNING TOWNSHIP CITIZEN, TOM KOWALKOWSKI FOR THE RECALL OF PINCONNING TOWNSHIP TREASURER, TROY TRUDO. THE MEETING WAS HELD IN THE PROBATE COURTROOM #5 OF JUDGE TIGHE AT 1230 WASHINGTON AVENUE IN BAY CITY AND CALLED TO ORDER AT 10:05 A.M. THE FOLLOWING MEMBERS AND GUEST WERE PRESENT.

ROLL CALL: RICHARD BRZEZINSKI, TREASURER
 CYNTHIA A. LUCZAK, COUNTY CLERK
 KAREN TIGHE, PROBATE JUDGE

ALSO PRESENT: SHARON STALSBERG, PINCONNING TWP. SUPERVISOR
 VINCE LAFRAMBOISE, PINCONNING TWP. RESIDENT
 THOMAS KOWALKOWSKI, RESIDENT/PETITIONER
 JOSEPH HOLBROOK, PINCONNING TWP. RESIDENT
 GERALD BRADLEY, PINCONNING TWP. RESIDENT
 SHIRLEY BRADLEY, PINCONNING TWP. RESIDENT
 NICK MADAJ, LAW STUDENT
 JOANNA MORIN, PINCONNING TOWNSHIP

ABSENT: TROY TRUDO, PINCONNING TWP. TREASURER
 (HON. K. TIGHE HAD PAGED THE HALLWAY)

JUDGE KAREN TIGHE OPENED THE MEETING BY READING PRELIMINARY REQUIREMENTS OF MCLA 168.952 REFERRING TO A CODE OF CONDUCT OF AN OFFICER; SUFFICIENCY OF ANY STATEMENT/POLITICAL REGARD; TRUTH OR FALSENESS OF THE PETITION AND ROLE OF THE ELECTION COMMISSION IN THIS REGARD.

THE PETITION LANGUAGE WAS READ INTO THE RECORD FOR REVIEW OF BOARD MEMBERS AND CONSIDERED FOR ITS CLARITY. FOLLOWING THE READING INTO THE RECORD THE BOARD MEMBERS VOTED. AS THE FULL TEXT OF THE RECALL PETITION WAS LENGTHY, IT WAS CONTINUED ON THE NEXT PAGE OF THESE MINUTES.

"Trudo has not kept her scheduled office hours, these hours were stamped on every tax bill as well as the envelope stating that she would be available to collect taxes from 11:00 a.m. to 3:00 p.m. on Tuesdays and Wednesdays; Trudo walked out of June 8, 2010 board meeting leaving the Township with a lack of a quorum and unable to conduct Township business; Trudo was absent from two regular meetings, twenty special meetings, four informational meetings, three public hearings of the Pinconning Township Board of Trustees their postings and notifications were in compliance with Open Meeting Act; Trudo who admits wrong doing in the Bay City Times, July 25, 2010 Sunday edition for an incident at Saganing Eagles Landing Casino in which Trudo was Banned from all Tribal Properties and may jeopardize future 2% grant funding from the Saginaw Chippewa Indian Tribe to the Township; Trudo has filed unemployment claim against the Township while collecting a salary; Untimely deposits of residents checks; Daily Cash Journal is not being done for all cash received by the Treasurer's Office."

PETITIONER TOM KOWALKOWSKI WAS INVITED TO SPEAK TO THE ISSUE PRIOR TO THE BOARD CONSIDERATION. HE INDICATED HE DID NOT WISH TO SPEAK AT THIS TIME AND WAS JUST "HERE FOR THE ANSWER TODAY".

CLERK LUCZAK FELT THE PETITION WAS CLEAR AND SUFFICIENT ENOUGH TO BE CIRCULATED BEFORE THE ELECTORATE.

TREASURER BRZEZINSKI FELT OF THE SEVEN (7) REASONS GIVEN, MANY WERE TOO MANY WORDS IN NATURE AND COULD BE INTERPRETED LITERALLY BUT WAS CLEAR ENOUGH FOR SIGNATURES. FURTHER, HE WAS NOT HERE TO DECIDE IF THE ALLEGATIONS WERE TRUE OR FALSE. FOR THE RECORD, HE WANTED THE PEOPLE OF THE TOWNSHIP TO UNDERSTAND THAT HE WAS NOT SUPPORTING OR PROTECTING SOMEONE BY HIS POSITION AS COUNTY TREASURER AND BY HIS WORKING RELATIONSHIP WITH THE TOWNSHIP TREASURER.

JUDGE TIGHE AGREED WITH CLERK LUCZAK, THE PETITION WAS CLEAR AND CALLED FOR A ROLL CALL VOTE - 3 YEAS AND 0 NAYS. CARRIED.

JUDGE TIGHE INFORMED THE GROUP OF MCLA 168.9526 THAT AN APPEAL BY THE OFFICER WHOSE RECALL WAS BEING SOUGHT, WOULD HAVE A TEN (10) DAY PERIOD IN WHICH TO APPEAL TO THE CIRCUIT COURT. THE TIME AFFORDED BY LAW OF TEN (10) DAYS WOULD BEGIN TODAY.

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PETITIONER TOM KOWALKOWSKI THANKED THE MEMBERS OF THE ELECTION COMMISSION AND THE TOWNSHIP RESIDENTS WHO HAD SUPPORTED THIS RECALL EFFORT OF THE PINCONNING TOWNSHIP TREASURER, TROY TRUDO.

THE MEETING WAS AJOURNED BY A UNANIMOUS VOTE OF THE MEMBERS AT 10:10 A.M. - 3 YEAS, 0 NAYS.

ON NOVEMBER 3, 2010 THE RECALL PETITIONS WERE FILED WITH THE OFFICE OF THE BAY COUNTY CLERK AND ON NOVEMBER 8, 2010, THE PINCONNING TOWNSHIP TREASURER, TROY TRUDO, RESIGNED FROM HER OFFICE.

ON NOVEMBER 12, 2010, PETITIONER THOMAS KOWALKOWSKI ACCEPTED THE RESIGNATION OF PINCONNING TOWNSHIP TREASURER AS FACT AND SUBMITTED A LETTER OF WITHDRAW OF THE RECALL PETITION DRIVE TO THE COUNTY CLERK OFFICE.

RESPECTFULLY SUBMITTED.

CYNTHIA A. LUCZAK
BAY COUNTY CLERK